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APPLICATION-NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,271	10/24/2003	Hiroyuki Oda	KIN91USA	9070

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HOWSON AND HOWSON
ONE SPRING HOUSE CORPORATION CENTER
BOX 457
321 NORRISTOWN ROAD
SPRING HOUSE, PA 19477

EXAMINER

HUG, ERIC J

ART UNIT	PAPER NUMBER
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1731

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/693,271	Applicant(s) ODA ET AL.	
	Examiner Eric Hug	Art Unit 1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-8, 11, 12, 15, 16, 19 and 20 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 9, 10, 13, 14, 17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

The following is in response to the amendment filed on June 20, 2005.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Hansen (US 2004/0094281).

Hansen discloses a press fabric comprising a base fabric, a batt layer on the press side of the base fabric, a first staple fiber batt layer on the paper side of the base fabric, a fine nonwoven fabric layer covering the first batt layer, and a second batt layer covering the fine fabric layer. See paragraph [0039] which states that the fine fabric can be nonwoven. Paragraph [0044] states that the fine fabric is characterized by having fibers of smaller denier than the rest of the fabric. Paragraph [0045] discloses the denier of staple fibers making up the two batt layers on the paper side of the base layer, the smallest being 6 denier. Since the fibers of the fine fabric must be smaller than the staple fibers to prevent the penetration of staple fibers into the base layer during needling, therefore the fine fabric fibers must be less than 6 denier, and equivalently less than 9 dtex (1 denier = 1.1 dtex). Paragraph [0053] discloses examples of polymeric materials for the fine fabric, some of which are inherently hydrophilic.

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

Art Unit: 1731

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Eklund et al (US 5,232,768).

Eklund discloses a press felt having at least one base fabric 9, at least one batt layer on the paper side 6, and a barrier layer 7 having finer fibers than the fibers of the batt layer. The barrier layer is designed to prevent rewetting of the web when the felt and web exits from the press nip. See particularly column 3, lines 3-51. Column 3, lines 65-67 discloses that the barrier layer is hydrophilic. Exemplary embodiments show the felt may also have a press side batt layer 13' and/or multiple paper side batt layers. Several figures show that the barrier layer can be on the paper side of the base layer located under one paper side batt layer or under two paper side batt layers. Column 5, lines 35-41 limits the arrangement of layers only so that the barrier layer is always underneath a surface batt layer.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eklund in view of Hansen. Eklund (described above) does not disclose that the fineness of the staple fibers on the paper side of the nonwoven (barrier) layer is 9 dtex or less. However, this feature is disclosed by Hansen, and it would be obvious to one skilled in the art to use such a fineness for the surface layer of Eklund to provide a smooth web-contacting surface that prevents marking of the web as the web and felt run through the press nip.

Art Unit: 1731

4. Claims 9, 10, 13, 14, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen (US 2004/0094281) in view of Applicant's Admission of Prior art or over Eklund (US 5,232,768) in view of Hansen and Applicant's Admission of Prior art.

The features of the claims correspond to conventional press arrangements disclosed as prior art by Applicant. Although neither Hansen nor Eklund disclose the exact arrangements, it would have been obvious to one skilled in the art to use either the press felt of Hansen or the press felt of Eklund in any of the claimed conventional pressing arrangements to compressively squeeze water from a fibrous web.

Allowable Subject Matter

Claims 3-8, 11, 12, 15, 16, 19, and 20 are allowed for reasons given previously.

Response to Arguments

Applicant's arguments filed June 20, 2005 have been fully considered.

The amendments to the claims have overcome the rejections over Joyce (US 6,592,636) Eschmann (US 5,204,171), and Lundstrom (US 4,500,588) set forth previously.

Art Unit: 1731

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Each of the following references discloses a press felt having an intermediate layer.

Penven (US 4,806,413)

Kenney et al (US 5,328,757)

Johnson et al (US 5,372,876)

Marchand (US 5,945,358)

Schiel (US 6,159,880)

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

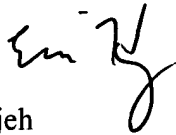
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 1731

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192. The examiner can normally be reached on Monday through Friday, 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


jeh